

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO**

BARBARA FORMAN, Individually and On
Behalf of All Other Similarly Situated,

Plaintiff,

v.

MERIDIAN BIOSCIENCE, INC., JOHN A.
KRAEUTLER, and MELISSA A. LUEKE,

Defendants.

Civil Action No. 1:17-cv-00774-SJD

Judge Susan J. Dlott

**UNOPPOSED MOTION FOR LEAVE
TO EXTEND THE PAGE
LIMITATIONS FOR PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Court-appointed Lead Plaintiff Barbara Forman (“Plaintiff”) respectfully moves this Court for leave to file a brief in support of her Motion for Preliminary Approval of Class Action Settlement (the “Motion for Preliminary Approval”) that exceeds the page limitations set forth in Local Rule of Civil Procedure 7.2(a)(3) and in the Court’s Standing Order on Civil Procedures. Plaintiff requests an extension of the page limitation of fifteen (15) pages. Plaintiff has conferred with counsel for Defendants, who do not oppose the request. Plaintiff intends to file her Motion for Preliminary Approval during the week of August 26, 2019, following the expiration of the Court-ordered stay. *See* ECF No. 47.

Plaintiff respectfully submits that an extension of the page limitation is warranted in this case. Following the December 2018 amendment to Federal Rule of Procedure 23(e), class action settlements in the Sixth Circuit are now subject to a multi-faceted fairness analysis under both the four prong test of Rule 23(e)(2) and seven factor test previously adopted by the Sixth Circuit. *See UAW v. GMC*, 497 F.3d 615, 631 (6th Cir. 2007) (setting forth the Sixth Circuit test); *see also In re Sonic Corp. Customer Data Sec. Breach Litig.*, No. 1:17-md-2807, 2019 U.S. Dist. LEXIS 135573, at *11 (N.D. Ohio Aug. 12, 2019) (“According to the 2018 Amendment’s Advisory

Committee Notes, so long as courts use the 23(e)(2) factors as the primary framework, courts may still consider circuit-specific factors in the analysis.”). Furthermore, as Plaintiff is also tasked with presenting the Action as proper for class treatment, as well as establishing that the proposed form and method of notice to the settlement class members are constitutionally sound and appropriate, the additional pages she requests are necessary in order to carry her burden and to present a fulsome legal analysis for the Court’s consideration.

Plaintiff therefore asks this Court for leave to file a brief in support of her Motion for Preliminary Approval not to exceed thirty-five (35) pages.

Dated: August 16, 2019

/s/Shannon L. Hopkins

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Counsel for Plaintiff Barbara Forman

CERTIFICATE OF SERVICE

I certify that on August 16, 2019, I filed Plaintiff's UNOPPOSED MOTION FOR LEAVE TO EXTEND THE PAGE LIMITATIONS FOR PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT with the Clerk of Court using the CM/ECF system, which will send notice to all counsel of record.

/s/Shannon L. Hopkins

Shannon L. Hopkins